

August 23, 2016

A regular meeting of the Council of the Town of Bedford, Virginia, was held in the Council Hall of the Municipal Building at 7:00 p.m., August 23, 2016.

Members present: Mayor Robert T. Wandrei; Councilman Tim Black; Councilman Robert D. Carson; Councilman Stacey L. Hailey; Vice Mayor Steve C. Rush; Councilman Beckham A. Stanley; and Councilman James A. Vest

Members absent: None

Staff present: Town Manager Charles P. Kolakowski; Town Attorney W. W. Berry, IV; and Clerk of the Council Teresa W. Hatcher

Mayor Wandrei opened the meeting and led all present in saying the Pledge of Allegiance to the Flag.

Upon a motion by Vice Mayor Rush, seconded by Councilman Hailey, the minutes of a regular Council meeting held on August 8, 2016, were approved as distributed. Councilman Black abstained as he was not present at the August 8 meeting.

John Wagner, Electric Director, stated that some issues at the Snowden Hydro Plant have been reviewed with the Electric and Finance Committees. Mr. Wagner explained the two very pressing projects at the plant:

- The electrical service panel is inadequate to operate modern power tools. A portable generator must be brought into the building to operate modern power tools. An RFP was issued several months ago to replace the service panel, give it more capacity, and add more outlets in the building itself. Twenty-five thousand dollars (\$25,000) was budgeted for this project. One response was received in the amount of \$35,400. The company that made the response has experience working in the plant and is qualified to do the work, which is desperately needed as the maintenance season is approaching. Mr. Wagner asked for Council's approval to accept the proposal to do the electrical work to upgrade the service panel in the building and add more capacity for outlets.
- The actual control system that controls the turbines has had a few issues and makeshift repairs have been made. Much of the equipment is original from 1985 and is no longer supported by the supplier. The Town does not have a backup of the software that runs the control system. An RFP was issued several months ago and several bids were received. The Electric Department staff recommends accepting the company with the lowest bid. The original software is no longer supported. This company has proposed to provide a new version of the software and upgrade the equipment for the control system. The prices came in higher than anticipated. The bid for the control system update is approximately \$129,000 plus approximately \$15,000 in electrical work at the plant. The wiring for the existing system has deteriorated and is no longer useable. Mr. Wagner asked for Council's authorization to enter into a contract for \$129,000 to install a new

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turbine control system at the Hydro Plant and plus an additional \$15,000 for electrical work at the Plant.

The Town Manager said this is in the budgeted amount for capital improvements and therefore has been appropriated already.

On motion by Councilman Vest, seconded by Councilman Black, voted upon and carried unanimously, Council approved accepting the proposal to do the electrical work to upgrade the service panel at the Snowden Hydro Plant and add more capacity for outlets; and authorized entering into a contract for \$129,000 to install a new turbine control system at the Hydro Plant plus an additional \$15,000 for electrical work in the building. The motion was then voted upon and carried unanimously.

Mayor Wandrei said he received correspondence from Kim Bobo, Executive Director of Virginia Interfaith Center for Public Policy, asking Council, along with other localities, to request the General Assembly to accept Medicare funding. The Mayor will have the proposed resolution in the information in the Council packets and Council can decide to choose to either sign the resolution or not.

Councilman Vest, Chairman of the Finance Committee, reported that the Committee met earlier in the day and reviewed the financial report. He said that due to the hard work by the Finance Department the field audit for the Town was completed in one week and in past years it has taken two weeks. Councilman Vest asked the Finance Director to convey Council's thanks to the staff and the department heads who helped get the material together. He said the Board of the Bedford Regional Water Authority (BRWA) has provided a breakdown of how it plans to use the debt proceeds of \$353,000 for projects in the Town. Councilman Vest said that for FY 2017 the Town has already received \$32,540 for renewable energy credits.

Vice Mayor Rush, Chairman of the Community Development Committee, reported the committee (Vice Mayor Rush, Councilman Black, and Mayor Wandrei) and Town Manager Kolakowski, Elmer Hodge, and John Putney went to the Virginia Economic Development Partnership in Richmond last week. He said a presentation was made about the Town, the incentives, and plans to bring business to the Town.

Mayor Wandrei added the following item to the agenda: Discussion and Action on Tablets, which was brought forth at the work session.

Town Manager Kolakowski said the first public hearing on the agenda was a public hearing to consider a budget amendment for rollover of FY 2016 funds and re-appropriation of FY 2016 purchase orders into the FY 2017 Adopted Budget.

The Public Hearing Notice follows:

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PUBLIC HEARING NOTICE

Notice is hereby given that the Town Council of the Town of Bedford, Virginia, at 7:00 PM on Tuesday, August 23, 2016, will hold a public hearing at the council hall in the Town municipal building at 215 E. Main Street, Bedford, Virginia, 24523 to consider a budget amendment for rollover of FY 2016 funds and re-appropriation of FY 2016 purchase orders into the FY 2017 Adopted Budget.

At the end of FY 2016, The Town had numerous projects which were not completed and/or were encumbered by a purchase order. The funds for these projects are needed in order to complete designated work and therefore must be re-appropriated to FY 2017. The cumulative total of FY 2016 rollover of funds is \$1,247,018.58 and the cumulative total of FY 2016 Purchase Orders is \$1,164,354.31. Virginia Code §15.2-2507 provides that any locality may amend its budget to adjust the aggregate amount to be appropriated during the fiscal year as shown in the currently adopted budget; provided, however, any such amendment which exceeds one percent of the total expenditures shown in the currently adopted budget must be accomplished by first publishing a notice of a meeting and holding a public hearing before amending the budget. This Code section applies to all locality funds, i.e., General Fund, Enterprise Fund, Capital Fund, etc. Because the cumulative amount of the appropriations exceeds one percent of the currently adopted budget, a budget amendment public hearing is required.

A copy of the detailed budget amendment request including an itemized list of FY 2016 rollover of funds and FY 2016 Purchase Order re-appropriations are available for inspection by the public in the Office of the Clerk of the Town Council, Town Manager's office, 215 E. Main Street, Bedford, VA 24523.

By Order of the Clerk of the
Town Council

Mayor Wandrei opened the public hearing at 7:18 p.m. As there were no comments, the Mayor closed the public hearing at 7:18 p.m.

The next item on the agenda was the following Public Hearing Notice:

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PUBLIC HEARING NOTICE

Notice is hereby given of a public hearing to be held by the Town Council at 7:00 p.m. on Tuesday, August 23, 2016, at the Town Municipal Building, Council Hall, 215 East Main Street for the purpose of:

- Consideration of a request for a conditional use permit to construct duplex and/or quadruplex housing on Tax Parcels 233-2-1-T and 233-2-2-T located on Burks Hill Road. The property is owned by John L. Carter, Jr. Trust and Others. The request is being submitted by R. M. Gantt, Inc., P. O. Box 3527, Lynchburg, VA.
- Consideration of an amendment to Section 904.09 of the Land Development Regulations to allow reproduction of historic murals bearing a commercial or advertising message within the area of a National Register Historic District. The request is being submitted per the recommendation of the Planning Commission of the Town of Bedford.
- Consideration of an amendment to Section 608.02 of the Land Development Regulations to define Emergency Homeless Shelters as a conditional use within the B-1, Limited Business District. The request is being submitted per the recommendation of the Planning Commission of the Town of Bedford.

Information regarding these requests is on file in the office of Planning & Community Development.

Anyone who is in favor of or opposed to these requests will have an opportunity to express his/her view at this hearing.

By the Authority of Town Council of the Town of Bedford

The Town Manager stated that the next public hearing was for consideration of a request for a conditional use permit to construct duplex and/or quadruplex housing on Tax Parcels 233-2-1-T and 233-2-2-T located on Burks Hill Road. The property is owned by John L. Carter, Jr. Trust and Others. The request is being submitted by R. M. Gantt, Inc., P. O. Box 3527, Lynchburg, VA.

Mayor Wandrei opened the public hearing at 7:19 p.m. As there were no comments, the Mayor closed the public hearing at 7:19 p.m.

Town Manager Kolakowski said the next public hearing item was consideration of an amendment to Section 904.09 of the Land Development Regulations to allow reproduction of historic murals bearing a commercial or advertising message within the

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area of a National Register Historic District. The request is being submitted per the recommendation of the Planning Commission of the Town of Bedford.

Mayor Wandrei opened the public hearing at 7:20 p.m. As there were no comments, the public hearing was closed at 7:20 p.m.

Town Manager Kolakowski said the next public hearing item was consideration of an amendment to Section 608.02 of the Land Development Regulations to define Emergency Homeless Shelters as a conditional use within the B-1, Limited Business District. The request is being submitted per the recommendation of the Planning Commission of the Town of Bedford.

Mayor Wandrei opened the public hearing at 7:21 p.m.

Wes Hardwick, 418 W. Franklin Street, spoke about helping the homeless shelter and helping the less fortunate.

Ron Brown, 1222 Longwood Avenue, Apt. C, recommended that the community work cooperatively to find another facility that is appropriate for a shelter. Mr. Brown suggested that Thaxton Elementary School be used for the shelter. He said that the homeless shelter would then not be in the middle of a business district. The Mayor said this suggestion would be passed along to the School Board.

Joshua Ball, 707 E. Main Street, spoke of his concern with some wording in the proposed amendment: 1) "minimal support" - the shelter is providing more than minimum support 2) asked that the language regarding "six months stay" be removed - his personal opinion was that should be left up to whomever is running the shelter and their board of directors to determine what their plan is going to be.

Kay Brown, 514 Blue Ridge Avenue, asked Council to consider keeping this as a church and also as a place to stay as a shelter.

Christy Gillette, 1579 Newton Circle, said that she has some proof that other people are living there that were at bus stops in other towns and they were shipped into Bedford. Ms Gillette indicated she thinks Bedford does not need to have people from other towns because jobs are not available for that. Ms. Gillette said she works at a job readiness company that offers free classes to find jobs and actually did have a client that they helped find a job through Grace House, but that person was not referred by Grace House.

Dawn Price, resident of the shelter, explained that she left Roanoke to escape drug addition and domestic abuse and explained the benefits she has received from the shelter. Ms. Price asked that the shelter be kept open.

As there were no further comments, Mayor Wandrei closed the public hearing at 7:30 p.m.

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The Town Manager reported there are presently vacancies on the Keep Bedford Beautiful Commission. Mr. Dave Foster has expressed an interest to serve on the Commission if appointed by Council. The vacancies have been advertised in the local newspaper, and no other citizens have volunteered to serve. Mr. Kolakowski said that Council was requested to appoint Dave Foster to serve on the Keep Bedford Beautiful Commission, said term to expire June 30, 2018.

On motion by Vice Mayor Rush, seconded by Councilman Hailey, voted upon and carried unanimously by a roll call vote, Council appointed Dave Foster to serve on the Keep Bedford Beautiful Commission, said term to expire June 30, 2018. Roll call vote follows:

Councilman Black	aye
Councilman Carson	aye
Councilman Hailey	aye
Vice Mayor Rush	aye
Councilman Stanley	aye
Councilman Vest	aye
Mayor Wandrei	aye

The Town Manager reported that at the end of each fiscal year, the Town has purchase orders which are outstanding representing work that has not been completed. These represent goods and services that have already been ordered but have not yet been received or any invoices that have not been paid as of June 30, 2016. Town staff is requesting the reappropriation of the funds that are outstanding on purchase orders as of June 30, 2016 to the budget for Fiscal Year 2017. Council has received a detailed list of the amounts requested by account number. The total of the requested FY 2016 purchase order appropriations is \$1,164,354.31. Because the cumulative amount of the appropriations exceeds one percent of the currently adopted budget, a budget amendment public hearing is required. The public hearing was held on August 23, 2016 during the regularly scheduled Town Council meeting for discussion regarding this budget amendment. Mr. Kolakowski said that Town Council is requested to approve the reappropriation of purchase orders per the list provided to Council in the amount of \$1,164,354.31 to provide funds for incomplete local government projects. He said that Council was also requested to designate \$1,164,354.31 to revenue account Prior Year Reserves 100091.441499 from FY 2016 fund balance to offset the increase in expenditures.

On motion by Councilman Vest, seconded by Councilman Black, voted upon and carried unanimously by a roll call vote, Council approved the reappropriation of purchase orders per the following list that was provided to Council in the amount of \$1,164,354.31 to provide funds for incomplete local government projects. Council also designated \$1,164,354.31 to revenue account Prior Year Reserves 100091.441499 from FY 2016 fund balance to offset the increase in expenditures. Roll call vote follows:

Councilman Carson	aye
Councilman Hailey	aye

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Vice Mayor Rush	aye
Councilman Stanley	aye
Councilman Vest	aye
Councilman Black	aye
Mayor Wandrei	aye

The list follows as approved:

PURCHASE ORDERS OUTSTANDING FOR FISCAL YEAR 2016
Sorted by Fund

GENERAL FUND			RESPONSIBLE
ACCOUNT NUMBER	ACCOUNT NAME	P.O. AMOUNT	DEPARTMENT
10011261 533103	Town Website Upgrade	1,320.00	I.T.
10033110 560091	Tires for Police Vehicles	5,425.18	Police
10033420 559016	Demolition - Bedford Mobile Home	11,500.00	Public Works
10044121 560173	Asphalt for Street Repairs	12,775.70	Public Works
10044121 560173	Stone	11,160.75	Public Works
10044121 581985	LED Lighting	2,971.40	Public Works
50033110 581303	Radios	4,843.78	Police
50044120 581303	Radios	1,232.00	Public Works
50088150 581948	Centertown/D-Day Memorial Connector	195,514.98	Public Works
		246,743.79	

SOLID WASTE			RESPONSIBLE
ACCOUNT NUMBER	ACCOUNT NAME	P.O. AMOUNT	DEPARTMENT
17964240 533203	Hauling Trash to Bedford County	7,602.87	Solid Waste
		7,602.87	

ELECTRIC FUND			RESPONSIBLE
ACCOUNT NUMBER	ACCOUNT NAME	P.O. AMOUNT	DEPARTMENT
19981920 531404	Hydro Plant Operations	19,401.73	Electric
19981930 560170	Tapchanger Seal Repair	2,400.00	Electric
19981940 560073	Rubber Goods Testing and Replacement	1,577.09	Electric
59981920 581442	Rebuild Speed Increaser #4	875,000.00	Electric
59981920 581450	Fabricate and Install Plugs	11,628.83	Electric
		910,007.65	

TOTAL OF ALL OUTSTANDING PURCHASE ORDERS	1,164,354.31
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Mr. Kolakowski reported that at the end of Fiscal Year 2016, the Town had numerous projects which were not completed or encumbered by a purchase order. The funds for these projects are needed in order to complete designated work. After review of the requests for rollover of funds, the Town Manager has recommended that the list of projects, which was given to Council, be approved for rollover from Fiscal Year 2016 and reappropriated to Fiscal Year 2017. A detailed listing of the amounts requested by account number was attached to the action form. The cumulative total of the FY 2016 appropriations itemized is \$1,247,018.58. Because the cumulative amount of the appropriations exceeds one percent of the currently adopted budget, a budget amendment public hearing is required. The public hearing was held on August 23, 2016 during the regularly scheduled Town Council meeting for discussion regarding this budget amendment. The Town Manager said that Council was requested to approve the rollover and re-appropriation of funds in the amount of \$1,247,018.58 to provide funds for various local government projects per the list provided. Council was also requested to designate \$1,247,018.58 to revenue account Prior Year Reserves 100091.441499 from FY 2016 fund balance to offset the increase in expenditures.

On motion by Councilman Vest, seconded by Councilman Carson, after a brief discussion, Council approved the rollover and re-appropriation of funds in the amount of \$1,247,018.58 to provide funds for various local government projects per the list provided and designated \$1,247,018.58 to revenue account Prior Year Reserves 100091.441499 from FY 2016 fund balance to offset the increase in expenditures. Roll call vote follows:

Councilman Hailey	aye
Vice Mayor Rush	aye
Councilman Stanley	aye
Councilman Vest	aye
Councilman Black	aye
Councilman Carson	aye
Mayor Wandrei	aye

The list follows as approved:

ROLLOVER REQUESTS FOR FISCAL YEAR 2016
Sorted by Justification

ENDOWMENT FUNDS			RESPONSIBLE
ACCOUNT			
NUMBER	ACCOUNT NAME	REQUEST	DEPARTMENT
40033110 560109	Donations - Various	21,372.38	Police
50044115 582943	Community Improvement Fund	100,000.00	Comm.

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50088150 581933	Economic Development Fund	268,664.41	Development Comm.
50088150 582919	Enterprise Zone Maintenance	21,434.97	Development Comm.
		411,471.76	Development

GRANT FUNDED ACTIVITIES

ACCOUNT

NUMBER	ACCOUNT NAME	REQUEST	DEPARTMENT
10033110 557269	DMV Grant 2016 - Alcohol Enforcement	3,527.03	Police
10033110 557267	DMV Grant 2015 - Occupant Protection	310.69	Police
10033110 557270	DMV Grant 2016 - Speed Enforcement	2,272.78	Police
10033210 556534	DFP Aid To Localities	12,291.44	Fire
50088150 581948	Centertown Improvement Project	42,605.07	Public Works
		61,007.01	

UNBILLED ACTIVITIES AS OF 6/30/16

ACCOUNT

NUMBER	ACCOUNT NAME	REQUEST	DEPARTMENT
10011261 533122	Phone Maintenance	1,717.50	I.T.
10011261 533202	Wire Maintenance	1,000.00	I.T.
10011261 533204	Network Maintenance Contract	4,257.20	I.T.
10011261 555000	Training Expense	1,000.00	I.T.
10011261 560070	Network Maintenance Supplies	1,000.00	I.T.
10011261 581701	I.T. Equipment Replacement	2,776.83	I.T.
50044115 582916	GPS Utilities	12,657.00	Comm. Development
		24,408.53	

VDOT FUNDED ACTIVITIES

ACCOUNT

NUMBER	ACCOUNT NAME	REQUEST	DEPARTMENT
10044115 560172	Materials & Supplies/Sidewalks	13,162.10	Public Works
10044120 533118	Guard Rail Replace/Maintenance	39,180.13	Public Works
10044121 533118	Guard Rail/Replacement Maintenance	66,360.00	Public Works
10044121 560170	Materials & Supplies	300.00	Public Works
10044121 560173	Materials & Supplies/Streets	6,830.76	Public Works
10044121 560175	Materials & Supplies/Sign Shop	24,152.81	Public Works
10044121 560178	Blacktop	46,063.04	Public Works
10044121 560179	Milling	913.74	Public Works
10044121 560195	Storm Drainage Projects	33,750.00	Public Works
		230,712.58	

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INCOMPLETE WORK AS OF 6/30/16			RESPONSIBLE
ACCOUNT			
NUMBER	ACCOUNT NAME	REQUEST	DEPARTMENT
50011242 581732	Utility Billing Software	44,850.00	Finance
50011242 581732	Software Upgrade (CAFR & Fixed Assets)	37,563.00	Finance
50011261 581305	Phone System	1,000.00	I.T.
50011261 581729	Penetration Testing	4,225.00	I.T.
50011261 581703	Second Munis Server	12,000.00	I.T.
50044115 581978	Walking Trail Overlay - Liberty Lake Park	1,381.00	Public Works
50044320 581976	Bank Stabilization - Liberty Lake Park	5,535.75	Public Works
50044320 581979	Replace Drinking Fountains - Liberty Lake Park	3,800.00	Public Works
50044320 581986	Edmunds Street Park	9,006.11	Public Works
50044340 581979	Replace Drinking Fountains - Municipal Bldg.	4,530.00	Public Works
50044340 582930	ADA Improvements	35,630.00	Public Works
59981910 581303	Radios	15,849.48	Electric
59981920 581441	Turbine Packing Box-Unit 4	21,706.00	Electric
59981920 581449	Refurbish Tail Gate	13,500.00	Electric
59981920 581451	Replace #5 Turbine Box	15,241.00	Electric
59981940 581520	Motor Driven Reel Cart	16,000.00	Electric
59981940 581529	Compression Tool	10,000.00	Electric
59981940 582416	Voltage Regulators	15,815.00	Electric
59981940 582418	Infrastructure Improv & Extend	250,000.00	Electric
59981960 581536	AMR Commercial Meters	1,786.36	Electric
		519,418.70	
TOTAL OF ALL REQUESTED ROLLOVER FUNDS		1,247,018.58	

Town Manager Kolakowski stated that R.M. Gantt has a contract to purchase the property on Burks Hill Road identified as Tax Parcels 233-2-1-T and 233-2-2-T. These vacant lots are located in the vicinity of the intersection of Burks Hill Road and Roberts Lane on the eastern side of the street. The property is zoned PRD (Planned Residential Development) which allows single family homes as a use permitted by right. R.M. Gantt's proposal is to construct two duplexes (one on each lot) which requires a conditional use permit to be issued by Town Council. Mr. Kolakowski said that at its regular meeting on August 4, 2016, the Planning Commission conducted a public hearing. Christine Feldman (an adjacent property owner) and Debbie Key (the realtor representing the current property owner) spoke at the hearing. The five members of the Planning Commission who were present voted to recommend approval of a conditional use permit to construct one duplex home on each tax parcel.

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The Town Manager said that subsequent to the Planning Commission meeting, R.M. Gantt submitted a revised site plan and proposed elevation drawing to address concerns related to off-street parking and issues related to ingress on Burks Hill Road. Council has received a copy of the site plan. He said that Council was requested to approve the conditional use permit for construction of duplex homes on Tax Parcels 233-2-1-T and 233-2-2-T in accordance with the revised site plan submitted by R.M. Gantt.

Councilman Black moved that Council approve the conditional use permit for construction of duplex homes on Tax Parcels 233-2-1-T and 233-2-2-T in accordance with the revised site plan submitted by R.M. Gantt. The motion was seconded by Councilman Black.

Discussion ensued regarding parking, ingress and egress, residents having to back out into Burks Hill Road and having a back around area for the units.

Mr. Gantt described the units, the set backs, and the parking area.

Councilman Vest made a motion to table this item to give Mr. Gantt an opportunity to address questions that have been asked. The motion was seconded by Councilman Hailey, voted upon and carried by a roll call vote as follows:

Vice Mayor Rush	aye
Councilman Stanley	nay
Councilman Vest	aye
Councilman Black	aye
Councilman Carson	nay
Councilman Hailey	aye
Mayor Wandrei	aye

Town Manager Kolakowski reported that the staff was made aware of a proposal to reproduce an advertising mural on the side of a commercial building within the Centertown area. The historic mural promotes a corporation that is still operating on a commercial basis. Consequently, questions about compliance with the Sign Ordinance were raised. Given the presence of historic signs in downtown Roanoke (the Dr. Pepper and H&C Coffee signs serving as specific examples), staff contacted that jurisdiction in order to learn how they addressed the issue of compliance. He said that the staff was advised that the City of Roanoke allows this type of sign as a specific exception to its sign regulations that are otherwise in place and that existing historic designations are particularly useful in defining the exception. Mr. Kolakowski said the proposed amendment creates such an exception within the Town of Bedford tied to the National Register Historic District (which is located primarily within the Centertown area). It would allow the reproduction of previously existing murals and signs subject to proof of their prior placement on a specific site. The Town Manager stated that at its regular meeting on August 4, 2016 the Planning Commission conducted a public hearing. No one spoke at the hearing. The five members of the Planning Commission voted to

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recommend approval of the proposed amendment. Council was requested to adopt the ordinance amending Section 904.09 of the Land Development Regulations.

On motion by Vice Mayor Rush, seconded by Councilman Hailey, voted upon and carried by a roll call vote, Council adopted the ordinance amending Section 904.09 of the Land Development Regulations. Roll call vote follows:

Councilman Stanley	aye
Councilman Vest	nay
Councilman Black	aye
Councilman Carson	aye
Councilman Hailey	aye
Vice Mayor Rush	aye
Mayor Wandrei	aye

The Ordinance follows as adopted:

Ordinance No. 16-9

**AN ORDINANCE AMENDING THE TOWN OF BEDFORD LAND
DEVELOPMENT REGULATIONS**

**BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF BEDFORD,
VIRGINIA:**

Section 1. Miscellaneous provisions for freestanding signs contained in Table 904.09 of Section 904.09 of the Land Development Regulations of the Town of Bedford, Virginia, are amended by inserting the following proposed language:

Table 904.09 Sign Regulations for the B-1, B-2, CLI, and M-1 Zones.

Type	Maximum Number	Maximum Size (sq.feet)	Miscellaneous Provisions	Maximum Height (ft.)	Location/ Clearance
Reproduction of Historic Mural	For 1 use on 1 lot; 1 if building takes up less than 50% of total lot area	None	Permitted within the area of a National Register Historic District subject to proof and/or documentation of prior existence	None	

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			May include commercial or advertising messages.		
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Section 2. This ordinance is effective upon enactment.

The Town Manager said that in November 2015 Grace House Community Church communicated its intent to operate a homeless shelter at the property located at 514 Blue Ridge Avenue (the former 6 C's Shopping Center). Grace House presented this activity as an ancillary use to their operation as a place of worship. However, given the nature and frequency of the proposed services, staff found that this activity constituted a primary use of the property which was not specifically defined within the Land Development Regulations. Mr. Kolakowski said that after consideration of the list of uses contained within the B-1, Limited Business District (within which 514 Blue Ridge Avenue is located), the Zoning Administrator issued a written finding of fact that the proposed use was substantially similar to that of a hotel and a zoning permit was issued based on that finding.

The Town Manager said that as part of his official review, the County Building Official defined the use as an emergency homeless shelter and not a hotel (since "emergency homeless shelter" is a specific use defined and included in the applicable Building Code). A building permit was subsequently issued to Grace House for use of the property as an emergency homeless shelter. In response to this process and the information gleaned from it, staff proposed amendment of the B-1 district provisions to define "emergency homeless shelter" as a conditional use. The Planning Commission held a public hearing at its regular meeting on August 4, 2016 concerning the proposed amendment at which no speakers came forward. After considerable discussion and questions related to the existing shelter currently being operated by Grace House, the five members of the Planning Commission who were present voted to recommend approval of the proposed amendment. Mr. Kolakowski said that Council was requested to adopt the ordinance amending Section 608.03 of the Land Development Regulations.

Councilman Carson moved that Council adopt the ordinance amending Section 608.03 of the Land Development Regulations. The motion was seconded by Councilman Black.

A brief discussion ensued with Assistant Town Manager Warner answering questions posed by members of Council: Council is voting on defining the use of emergency homeless shelters within the zoning ordinance, not the Grace House specifically; the language in the ordinance was received from the American Planning Association; conditions can be attached to a conditional use permit; any enlargement of a conditional use would require a petition to the Planning Commission and Town Council; ensuring that residents of an emergency shelter would not stay over six months would be a

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difficult matter for staff to enforce - the Town's approach to that would primarily be complaint based and the staff would work with Grace House or any other conditional use permit recipient to determine whether or not that is the case.

The motion was then voted upon and carried unanimously by the following roll call vote:

Councilman Vest	aye
Councilman Black	aye
Councilman Carson	aye
Councilman Hailey	aye
Vice Mayor Rush	aye
Councilman Stanley	aye
Mayor Wandrei	aye

The Ordinance follows as adopted:

ORDINANCE NO. 16-10

AN ORDINANCE AMENDING SECTION 608.03 OF THE TOWN OF BEDFORD LAND DEVELOPMENT REGULATIONS

WHEREAS, the Planning Commission of the Town of Bedford held a public hearing on August 4, 2016; and

WHEREAS, the Town Council held a public hearing after notice was given in the *Bedford Bulletin* once a week for two successive weeks as required by Virginia Code 15.2-2204; and

WHEREAS, it is found that the public necessity, convenience, general welfare, and good zoning practice are best served by changing the B-1, Limited Business zoning district regulations;

BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF BEDFORD, VIRGINIA:

Section 1. Section 608.03 of the Land Development Regulations of the Town of Bedford, Virginia, which lists conditional uses in the B-1, Limited Business District, is amended by inserting the following language:

- c. Emergency Homeless Shelters, which are defined as housing with minimal support services for homeless persons that is limited to occupancy of six months or less. No Individual or household may be denied emergency shelter because of an inability to pay.

Section 2. This ordinance is effective upon enactment.

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Mayor Wandrei said the next item on the agenda was consideration of purchasing tablets for Council members.

Councilman Vest moved that seven tablets be purchased for use by Council members. The motion was seconded by Councilman Hailey. Vice Mayor Rush indicated he would not be using a tablet and would prefer paper copies of Council packets. The motion was then voted upon and carried unanimously by a roll call vote, Roll call vote follows.

Councilman Black	aye
Councilman Carson	aye
Councilman Hailey	aye
Vice Mayor Rush	aye
Councilman Stanley	aye
Councilman Vest	aye
Mayor Wandrei	aye

The following individuals spoke during Citizen Comments:

Kevin Mayhew, 707 E. Main Street, indicated that he did not want to see Grace House closed. Mr. Mayhew said he wants to help people.

John Merten, Grace House, 514 Blue Ridge Avenue, explained what he has learned at Grace House.

Michael Smith, spoke as a minister of a church at 1121 Miller Lane, Bedford. Mr. Smith stated his church has reached out to help Joshua Ball with lifting some of the burdens off of Mr. Ball and his responsibilities at Grace House. Mr. Smith said there are other people involved at Grace House.

Mayor Wandrei adjourned the meeting at 8:17 p.m.